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12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA. OAKLAND
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15 PPM Real Estate Inc.)
16 dba: Professional Property Management,) Case No.: C11-02563CW
17 Petitioner)
18 v.)
19 Secretary of Treasury) Motion of Withdrawal of
20 United States Department of the Treasury) Petition to Quash Summons
21 Internal Revenue Service,)
22 Respondent)
23 _____) 26 U.S.C. §7609

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Petitioner brings this motion of withdrawal of petition to quash Internal Revenue Service (“IRS”) summonses.

Background:

1. On May 26, 2011, Petitioner filed petition (“Petition”) to quash summonses issued by Respondent on May 6, 2011 to Wells Fargo Bank and Union Bank. The case for the Petition was assigned to Judge Wilken. A case management conference is scheduled to be held on September 6, 2011 at 2:00 p.m., in Courtroom 2, 4th Floor, 1301 Clay Street, Oakland, California.
2. No opposition to the Petition has been filed by the Respondent.

- 1 3. Respondent has withdrawn the summonses issued to Wells Fargo Bank and Union Bank as
- 2 evidenced by the letters in Exhibit "A".
- 3 4. Petitioner respectfully withdraws the Petition.
- 4 5. Petitioner requests that the Court dismiss the Petition without prejudice.

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6 I declare under penalty of perjury under the laws of the United States of America and the State of
7 California that the foregoing is true and correct to the best of my knowledge.

8 Dated this 7th day of June, 2011.

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11 Gerald Scott Haislet
12 Attorney for PPM Real Estate Inc.

PROOF OF SERVICE

Re: PPM Real Estate Inc. v. Internal Revenue Service Case No: C11-02563CW
Motion of Withdrawal of Petition to Quash Summons 26 U.S.C. §7609

UNITED STATES DISTRICT COURT – NORTHERN DISTRICT OF CALIFORNIA

I am a citizen of the United States and a resident of the County of Contra Costa; I am over the age of eighteen years and not a party to above-entitled action. My business address is 986 Moraga Road, Lafayette, California 94549.

On June 7, 2011, I served the within Motion of Withdrawal of Petition to Quash Summons 26 U.S.C. §7609 and Order for Motion of Withdrawal on the following via US certified mail:

Department of the Treasury
Internal Revenue Service
Attn: Jose Arteaga, Revenue Officer
4830 Business Center Drive, Ste 250
Fairfield, CA 94534

Union Bank, NA
Legal Process Department
Attn: Toi Wilson
P. O. Box 30240
Los Angeles, CA 90003

Wells Fargo Bank, NA
Subpoena Processing Division
P. O. Box 8667 Y1372-110
Philadelphia, PA 19101

On June 7, 2011, I served the within Motion of Withdrawal of Petition to Quash Summons 26 U.S.C. §7609 and Order for Motion of Withdrawal on the following via facsimile:

Department of the Treasury
Internal Revenue Service
Attn: Jose Arteaga, Revenue Officer
Fax Number: 707-863-0126

Union Bank, NA
Legal Process Department
Attn: Toi Wilson
Fax Number: 323-278-4770

Wells Fargo Bank, NA
Subpoena Processing Division
Fax Number: 704-427-3686

I declare under penalty of perjury under all of the laws of the State of California that the foregoing is true and correct.

Executed on June 7, 2011 at Lafayette, California.

Linda C. Rhodes